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Remarks

Claims 1-8 are currently pending in the patent application. For the reasons and arguments set forth below, Applicant respectfully submits that the claimed invention is allowable over the cited reference.

The non-final Office Action dated November 2, 2006 listed an objection to the application title, requested a copy of references cited on the International Search Report, and indicated the following rejections: claims 1 and 5 stand rejected under 35 U.S.C. § 102(b) over Reynolds et al. (U.S. 6,215,299); and claims 2-4 and 6-8 stand rejected under 35 U.S.C. § 103(a) over Reynolds.

Regarding the objection to the title of the invention, Applicant submits that the original application title is sufficient. However, in an effort to facilitate prosecution, Applicant has amended the application title as indicated on page 2 of the paper, and therefore requests that the objection be removed.

Regarding the request for references cited in the International Search Report from the underlying international application, Applicant does not represent that any of the search documents should be considered prior art under the relevant statutes. Applicant shall provide a copy of these citations in a forthcoming Information Disclosure Statement filed under 37 C.F.R. § 1.97 for consideration by the Examiner.

Applicant respectfully requests that the Section 102(b) rejections of claims 1 and 5 be removed because the cited portions of the Reynolds reference fail to correspond to all of the claimed limitations including the functional aspects of the elongated contour structure (*i.e.*, "bar-shape") as claimed. Specifically, claim 1 has been amended to include that the magnetic field is substantially isolated form other magnetic subject fields; whereas the Reynolds reference teaches just the opposite. The cited portions of the Reynolds reference teach that the magnet 22 has magnetic poles designated N and S on its front surface 24 and additional corresponding poles of opposite polarity on its rear surface 36 opposite to the front surface (see, e.g., Fig. 2 and col. 2, line 66 to col. 3, line 5). The Reynolds reference teaches north and south magnetic poles on opposite sides of each opposite end (40 and 42) of the magnet 22 for the purpose of influencing the magnetic field 54. Accordingly, the Section 102(b) rejection of claim 1, as well as the

rejection of claim 5 which depends from claim 1, is improper and Applicant requests that it be withdrawn.

Applicant traverses the Section 103(a) rejections of claims 2-4 and 6-8 because the portions of the Reynolds reference cited by the Office Action fail to correspond to all of the claimed limitations of amended claim 1 as discussed above relating to the Section 102(b) rejection of claim 1. In this regard the rejections of claims 2-4 and 6-8 are improper because these claims depend from claim 1 and thus necessarily include all of the limitations of claim 1. Therefore, Applicant requests that the rejections be withdrawn.

Applicant further traverses the Section 103(a) rejections of claims 2 and 3 because the Office Action fails to provide adequate motivation for modifying the teachings of Reynolds. The motivation alleged by the Office Action would be to discover "optimum shape to provide linear output signals" (*see, e.g.*, page 3). The Reynolds reference teaches that the magnet 22 has substantially parallel front 24 and rear 36 faces in combination with north and south magnetic poles on opposite sides (*i.e.*, the front and rear faces) of each opposite end (40 and 42) of the magnet (*see, e.g.*, Fig. 2 and col. 3, lines 22-25). Applicant submits that the Office Action fails to provide any evidence that changing the profile of the magnet 22 to that of an ellipse or a cycloid would optimize the shape of the magnet to provide a linear output signal in the context of the Reynolds reference (*e.g.*, multiple north and south poles). Applicant further submits that the Office Action fails to provide any evidence that changing the shape of the magnet 22 to that of an ellipse or a cycloid would result in Reynolds providing a linear output signal. In light of the specific shape taught by Reynolds (*i.e.*, parallel faces 24 and 36 in combination with multiple north and south poles) one of skill in the art would not be motivated to change the profile of the magnet 22 to that of an ellipse or a cycloid for the purpose of discovering optimum shape to provide a linear output signal as asserted by the Office Action. Accordingly, the Section 103(a) rejections of claims 2 and 3 are improper and Applicant requests that they be withdrawn.

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Docket No.: DE030010US

In view of the remarks above, Applicant believes that each of the rejections has been overcome and the application is in condition for allowance. Should there be any remaining issues that could be readily addressed over the telephone, the Examiner is asked to contact the agent overseeing the application file, Peter Zawilski, of NXP Corporation at (408) 474-9063.

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